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Energy transportation hearings

As noted in CONSUMER REGISTER Oct. 15, **Transportation Dept.** and **Energy Dept.** are setting up a study team to look at important aspects of transporting coal, crude oil and petroleum products, natural gas, nuclear fuel, and electrical power across the US. The study will identify what adjustments are needed in present transportation systems.

Public hearings have been scheduled and the following change of address in the Los Angeles hearing and the addition of a Boston hearing have been announced.

Nov. 6 (starting at 9 a.m.)
Los Angeles, CA
Los Angeles Bonaventure
5th and Figueroa Sts.

Nov. 13 (starting at 10 am)
Boston, MA
State House, Gardner Auditorium
Beacon and Bowdoin Sts.

Details—*Federal Register:* Oct 4, page 45974. CONSUMER REGISTER: Oct. 15. Send requests to speak to National Energy Transportation Study Public Hearings, Office of Intermodal Transportation, P-10, Room 9217, Transportation Dept., Washington, DC 20590. For further information write or call Nancy MacRae at the above address; telephone 202-426-4203.

Boat safety

Nov. 20 is deadline for comments on a **Coast Guard** (CG) proposal changing capacity labels for certain boats under 20 feet long. The proposed change would not apply to sailboats, canoes, kayaks, or inflatable boats.

CG studies show that many boaters either fail to read or do not remember the number of people or total weight which their boats can safely carry. To minimize overloading accidents, CG says it is imperative that labels give information which will be remembered and used.

The most important safety information on the capacity label is the maximum number of persons allowed. It is the one variable constantly involved in boating accidents to which improper loading contributed. Since a boat's stability is changed every time passengers move around, the CG says the maximum number aboard should receive more emphasis than the total weight allowed.

In setting capacity levels, the agency is basing its proposals on 3 factors: (1) Adopting 160 pounds as the weight of an average person, (2) Estimating the average boating group at 3 to 4 persons, and (3) Developing a formula using weight and numbers which would apply equally to all boats.

The CG proposes that:

- Each boat be permanently marked with the maximum capacity receiving more emphasis than the total number of pounds allowable. Labels would read—"XX persons or xxx pounds."
- Labels be clearly visible to operators and passengers when getting the boat under way.
- The changes become effective on Aug. 1, 1979 to coincide with the new model year.

Details—*Federal Register:* Sept. 21, page 43006. Send comments to Commandant (G-CMC/81), (CGD 78-034), US Coast Guard, Washington, DC 20590. For further information write or call Lars E. Granholm, Office of Boating Safety (G-BBT-2/TP42), Room 4314, 2100 2nd St. SW, Washington, DC 20590; telephone 202-426-4027.

Calorie labeling

Now final is a **Food and Drug Administration** (FDA) regulation setting new rules on how "low calorie," "reduced calorie," and diabetic foods must be labeled. These rules apply to all foods involved in interstate commerce beginning July 1, 1979.

FDA said, "The purpose of this new regulation is to assure that foods labeled 'low calorie' or 'reduced calorie' genuinely represent a caloric saving. Consumers who buy foods intended for weight control will have a better understanding of what they are buying, and labels will be more uniform so consumers can more easily comparison shop."

Among the new requirements are:

- A food labeled as "low calorie" may contain no more than 40 calories per serving. FDA believes that to be useful the term "low calorie" should not be applied to foods which have few calories per piece or serving but which are generally eaten in large amounts, such as sugar, many candies, or potato chips.
- A food may be called "reduced calorie" only if its caloric content is at least ⅓ lower than a similar food for which it can substitute.
- All foods which claim to be reduced in calories must describe the comparison on which the claim is based. For example: "Artificially sweetened peaches packed in water, 38 calories per ½ cup serving, 62% less than Brand X peaches in heavy syrup."
- Foods that claim to be low or reduced in calories must have a complete nutrition label. The label must tell how many calories are in a serving, as well as the amount of protein, carbohydrate and fat, and the percentage of US Recommended Daily Allowances for 7 vitamins and minerals.
- Foods that are normally low in calories, such as celery, cannot use the term "low calorie" immediately before the name because it would suggest that one particular celery has fewer calories than another. However, it may be labeled "celery, a low calorie food."
- A food cannot be labeled as "diabetic" unless it is useful in the diets of diabetics.
- For a food to be labeled as "sugar free," "sugarless," or "no sugar" it must also be labeled as "low calorie" or "reduced calorie" and meet the labeling requirements of those categories, or be accompanied by such statements as "not a reduced calorie food" or "not for weight control."

In a related action, FDA has proposed a rule which would permit bread to use a "reduced calorie" label even though the bread has only a 25% reduction in calories. As noted above, other foods must reduce calories by ⅓ or 33⅓% in order to qualify for the "reduced calorie" rating. FDA is proposing this exception based on a petition which says that although it is possible to make lower calorie bread, the result doesn't look or taste very good. "The bread was extremely inferior. The volume was slightly reduced: dark, coarse, . . . harsh chewy texture." Comments on the bread exception must be made by Nov. 21 and sent to the Hearing Clerk (HFA-305), Food and Drug Administration, Room 4-65, 5600 Fishers Lane, Rockville, MD 20857.

Details—*Federal Register:* Sept. 22, page 43248. For further information write or call Taylor Quinn, Bureau of Foods (HFF-300), Federal Building 8, 200 C St., SW, Washington, DC 20204; telephone 202-245-1243.

Children's TV

The **Federal Communications Commission** (FCC) has extended comment deadline to Jan. 15, 1979 on its inquiry into children's television and programming practices.

The deadline is being extended from today because some "interested parties" said they needed more time to make effective comments. Another reason for the extension is the overlapping of issues and participation by many of the same parties in the **Federal Trade Commission's** 'Kidvid' hearings. [See CONSUMER REGISTER Oct. 15 for details on both items.]

Details—*Federal Register:* Oct. 5, page 46048 and Aug. 21, page 37136. CONSUMER REGISTER: Oct. 15. Send comments marked General Docket No. 19142 to Secretary, Federal Communications Commission, Washington, DC 20554. For further information write or call Susan C. Greene, Children's Television Task Force at above address; telephone 202-632-6312.

Saccharin

Food and Drug Administration (FDA) has withdrawn its proposal to require that warning statements be attached to vending machines which dispense products, usually soft drinks, containing saccharin.

After considering the 27 comments received on the original proposal [CONSUMER REGISTER March 1], FDA decided against requiring warning stickers for the following reasons:

- Several commentors argued that vending machine warnings would be unlikely to make a significant addition to the public's awareness of health risks due to saccharin consumption. FDA agreed, saying that warning statements on food packages and signs required to be posted in retail stores will be continual reminders of the cancer risks from saccharin.
- Commentors also emphasized the practical problems of insuring that warning stickers are made available to each vending machine owner or operator and the difficulties of enforcing the requirement. For example, many vending machines are owned and operated by service station owners who ordinarily do not deal directly with soft drink manufacturers, who would have responsibility for putting the stickers on the machines. Although some individual vending machine owners might print their own stickers, FDA feels a large number, if not most, would be unlikely to do so.

Details—*Federal Register:* Oct. 3, page 45613. CONSUMER REGISTER: March 1. For further information write or call Caesar Roy, Bureau of Foods (HFF-310), Food and Drug Administration, 200 C St. SW, Washington, DC 20204; telephone 202-245-1186.

Progestin warning

The **Food and Drug Administration** (FDA) will require that women taking the female hormone progestin be warned against its use during pregnancy. FDA says that women taking progestins during the first 4 months of pregnancy may increase their chances of giving birth to children with heart defects or deformed arms and legs.

Beginning Dec. 11, a warning brochure written in lay language must be given to women by dispensing physicians or pharmacists whenever a progestin precription is filled. Traditionally, FDA has required prescription drug labeling for physicians only. Patient labeling is now required for birth control pills, estrogens, and intrauterine devices (IUDs). This information is intended to reinforce doctors' instructions and provide a reference for patients while they are taking these drugs or using IUDs.

Progestins are often prescribed for women with menstrual disorders or abnormal bleeding of the uterus. The most widely used brand names are Delalutin, Duphaston, Norlutate, Norlutin, and Provera. Although these drugs have also been used for pregnancy tests, FDA no longer considers them safe for this purpose and the patient brochure will point this out.

FDA says: "Progestins are helpful drugs with beneficial medical uses. But, like all drugs, they carry risks as well as benefits and must be used with care.

"Women receiving prescriptions for progestins should be aware of the risk of birth defects associated with the use of the drug. This will help women who are or may be pregnant to avoid a drug that has the potential to cause birth defects."

Details—*Federal Register:* Oct. 13, page 47178. For further information write or call Steven Unger, Bureau of Drugs (HFD-30), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857; telephone 301-443-5220.

Public meeting on energy plan—Nov. 6

A section of **Energy Dept.'s** Organization Act (Public Law 95–91) requires the agency to submit to Congress a "Second National Energy Plan" (NEP-2). The "first" energy plan resulted in the National Energy Act, parts of which are summarized in this issue of CONSUMER NEWS.

NEP-2, which must be ready next April, will "address the broad range of the nation's energy problems, and will set forth energy production, use and conservation objectives and strategies."

Environmental analyses will be an important part of the NEP-2 planning process, and a draft environmental impact statement (EIS) will be prepared concurrently with NEP-2 to discuss anticipated energy and environmental problems arising from NEP-2—along with suggested remedies.

Because Energy wants public comments on the scope of the EIS and other matters, it will hold a meeting Nov. 6 at 9 a.m. in Room 3000A, New Post Office Bldg., Washington, DC. To enable Energy to gauge public interest in this matter, it will be helpful (but not necessary) to call Kevin Mullen at the Energy Dept.; telephone 202-376-4449. In addition, everyone, including those unable to attend the meeting, is encouraged to submit written comments until Dec. 1. Send comments to address listed below.

Details—*Federal Register:* Oct. 11, page 46927. Send comments to Kevin Mullen, Division of Environmental Liaison (EV/OPEC), Energy Dept., Room 6128, Washington, DC 20545.

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consumer comment

Federal agencies want to learn your views on proposals and other items published in the *Federal Register* and CONSUMER REGISTER. Agencies use these comments in their decision making.

These forms are provided for you to use, if you wish, in commenting on these items. For more lengthy comments, feel free to use a plain sheet of paper. Send comment forms to addresses listed in CONSUMER REGISTER summaries. CONSUMER NEWS is publishing these forms in cooperation with the **Food and Drug Administration** (FDA).

Name _____ Date _____

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Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) _____

by (name of agency) _____

published in *Federal Register* on (date) _____ on (page) _____

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